

MINUTES

January 23, 2007

The State Board of Registration for Professional Engineers and Land Surveyors met on January 23, 2007, in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT:

Doris I. Willmer, PE, Chairperson
Elmo A. Richardson, Jr., PE/LS, Vice-Chairman
E. Charles Vickery, PE
James W. Butler, LS
William W. Dean, PE
Stephen R. Richards, PE
Guy F. Ritter, PE
E. Scott Evans, Public Member

BOARD MEMBERS ABSENT:

Mark E. Chastain, LS

STAFF PRESENT:

J. Darren Mickler – Board Executive Director
Julie Busbee – Application Specialist/Board Secretary
Vivian Stephens – Application Specialist
Sharon Harrison – Investigative Assistant

ATTORNEY GENERAL REPRESENTATIVE:

Patricia Downing, Assistant Attorney General
Amelia Baker, Assistant Attorney General

GUESTS PRESENT:

Richard Little, PE, President of American Council of Engineering Companies of Georgia (ACEC/GA)
Steve Skalko, PE, representing Georgia Society of Professional Engineers (GSPE)

Call to order:

At 9:30 am, Chairperson Willmer called the meeting to order and asked for any additions or deletions to the proposed agenda. Mr. Richardson moved to adopt the agenda as presented. Mr. Ritter seconded. Motion carried.

Approval of Minutes:

Chairperson Willmer presented a draft of the December 12, 2006 minutes and asked for any additions or deletions. Mr. Vickery moved to adopt the minutes as edited. Mr. Richardson seconded. Motion carried.

Professional Societies and Guests:

Ms. Willmer recognized the guests present: Richard Little, President of ACEC/GA, Steve Skalko, representing GSPE. Mr. Little announced that Guy Ritter and Elmo Richardson have been recognized for lifetime membership in ACEC/GA. The Board congratulated them both for their service to ACEC/GA. Ms. Downing introduced Amelia Baker, who will be the new Board Attorney General representative, replacing Ms. Downing. Ms. Willmer thanked Ms. Downing for her service to the Board.

Executive Director's Report:

Mr. Mickler reported that the grades for Engineers-In-Training and Professional Engineers, pass/fail letters have been mailed out and the applicants who passed have been certified/licensed. He shared passing rate statistics on the EIT student applicants as follows:

Georgia Tech	95 total	10 failed	89% passed
Mercer University	5 total	1 failed	80% passed
Georgia Southern University	7 total	5 failed	29% passed
Southern Polytech	20 total	9 failed	55% passed
University of Georgia	11 total	0 failed	100% passed

Chairperson's Report:

Ms. Willmer reported that the Board has been invited to hold its June meeting at the ACEC/GA conference at Callaway Gardens on June 15, 2007.

Ms. Willmer reminded the Board that Southern Zone Meeting will be April 26 – 28, 2007 in Lexington, Kentucky. Mr. Mickler asked if there were any Board members who would like to attend so he can request funding.

Ms. Willmer reported that the Environmental Protection Division has concerns about the timeliness of four complaints they have submitted. Mr. Ritter reported that all of the cases have been reviewed by the Cognizant Board Member and two of them were in Investigations at this time.

Mr. Ritter reported that Tom Leslie from GSPE has asked that when a complaint is submitted that a letter be sent to the Complainant, which is the current procedure. Mr. Ritter suggested that staff send a status report to the Complainant after six months to assure that the case is still being reviewed.

Chairperson Willmer presented a copy of a Certificate of Completion for a course at Georgia Department of Transportation (GDOT.) GDOT had asked for the Board to approve the format of the certificate. After general discussion, the consensus of the Board was that the format was allowable; however, no formal Board action was taken to approve/disapprove. Mr. Ritter mentioned a website, www.continuingeducation.com, that licensees may register and the system will keep up with their continuing education and expiration dates. Ms. Willmer asked that a link to this website be included on the Board website.

Mr. Mickler presented a letter from a licensee who asked for a waiver of the late fee because of a problem with the Social Security Number and the online system. Mr. Dean moved to waive the fee. Mr. Ritter seconded. Motion carried.

Mr. Mickler presented a letter from a licensee who was hospitalized at the end of the year and asked for a waiver of the late fee. Mr. Ritter moved to waive the fee. Mr. Richardson seconded. Motion carried.

Old Business:

Task Force Reports:

Ms. Willmer reported that the Coalition still plans on meeting with Karen Handel, Secretary of State to discuss the efforts to date regarding the needs of the PELS Board. Ms. Willmer has updated the spreadsheet included with the recommendations made by the Task Force in 2004 and will forward them to her prior to the meeting.

LS Minimum Technical Standards:

Mr. Butler reported that he and Mr. Chastain have reviewed and discussed the changes to the Minimum Technical Standards for Land Surveyors. This item was deferred to the February meeting due to the absence of Mr. Chastain. However, Ms. Willmer asked that Mr. Butler and Mr. Chastain's recommendations be e-mailed to the rest of the Board for review before the February meeting. Mr. Richardson moved for the report to be completed by the next scheduled Board meeting in February. Mr. Ritter seconded. Motion carried.

New Business:

Design, Construction & Inspections of Automated People Movers:

Mr. Mickler presented a letter from Jonathan C. Esslinger, PE, Director of Transportation & Development Institute of ASCE, providing the Board with information to guide in deliberations with regard to incorporating the Model Elevator Code into any proposed state legislation. General discussion followed. No Board action was taken at this time.

Bidding Professional Services:

Mr. Ritter reported that he had received an inquiry from the Oconee County Procurement Office regarding bidding of Professional Services. General discussion followed. Ms. Willmer directed Mr. Ritter to draft a letter to the professional societies regarding complaint procedures, including Rules of Conduct.

Consent Order Penalties and Administrative Costs:

Mr. Ritter discussed setting Consent Order penalties in two (2) parts of Civil Penalty to the State General Fund and Administrative Penalty to the Licensing Board's Retained Funds. He has reviewed disciplinary actions by adjacent states and determined that they divide their penalties so that some of the fees can be retained by the Board. He proposed that the Board approach the legislature to allow penalties to be handled in this way. Ms. Downing reported that the Professional Licensing Boards has the authority to impose administrative costs now. Ms. Baker reported that the Medical Board only imposes administrative costs for peer reviews and hearings. Ms. Willmer suggested that this would be an item to discuss with Secretary of State Handel.

Executive Session:

At 10:30 am, Mr. Richardson moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Ritter seconded. Motion carried.

The following Board members were present during Executive Session – Chairperson Willmer, Mr. Dean, Mr. Evans, Mr. Butler, Mr. Richards, Mr. Richardson, and Mr. Ritter.

Reconvened Open Session at 1:05 pm with the following Board members present – Chairperson Willmer, Mr. Dean, Mr. Evans, Mr. Butler, Mr. Richards, Mr. Richardson, and Mr. Ritter.

Investigations and Complaints:

PELS989900059 – This case involved a Land Surveyor with allegations of plan-stamping for a surveying firm. Mr. Richardson moved to close the case as resolved. Mr. Ritter seconded. Motion carried.

PELS060055 – This case involved allegations of unlicensed practice of professional engineering. Mr. Richardson moved to close the case with no violations found. Mr. Vickery seconded. Motion carried.

PELS070008 –Mr. Richardson moved to accept a signed Cease and Desist Order from Richard King for unlicensed practice of professional engineering. Mr. Dean seconded. Motion carried.

PELS020149 – Mr. Dean moved to close this case administratively and combine it with a new case against the same unlicensed respondent, PELS060031. Mr. Richardson seconded. Motion carried.

PELS989900031 – Mr. Vickery moved to issue a Consent Order with a \$4000 penalty and 24 months probation. Additionally, registrant must complete a three-hour hydrology course from an institution approved by the Board. Mr. Richards seconded. Motion carried.

Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

31660 Bowman, Joseph W.	31661 Breu, Thomas J.	31662 Huckabee, George D.
31663 Poetker, David K.	31664 Kemp, Robert J.	31665 Lebrun, Louis E. IV
31666 Cowen, Aaron J.	31667 Joerger, William J.	31668 Joffer, Mark W.
31669 Justus, James L.	31670 Ross, Matthew S.	31671 Wieseler, Chad J.
31672 Tyler, Jeff L.	31673 Weikel, Richard D.	31785 Lewis, Jeffrey A.
31786 Marston, Sean K.	31787 Nandagiri, Sreekanth	31788 Neal, William D. Jr.
31789 Patterson, Jeffrey D.	31790 Selman, Paul J.	31791 Shoemaker, John D.
31792 Sohns, Lyle E.	31793 Stevens, Phillip W.	31794 White, Michael W. Jr.
31795 Albornoz, Robert N Jr.	31796 Al-Nahas, Ayman T.	31797 Bennett, William G.
31798 Ekstrom, Jon	31799 Hans, Robert A.	31800 Hunt, Stephen E.
31801 Hyché, David A.	31802 Lazarz, Charles F.	31803 Lynn, Andrew G.
31804 McEvoy, Steven M.	31805 Shofner, Vance F.	31806 Spiker, John L.
31807 Wallem, Ralph M.	31808 Williams, Richard L.	31809 Walker, Michael R.
31810 Bailey, John E.	31811 Battle, Ira D.	31812 Hall, Scott A.
31813 Halterman, Fred A.	31814 Hunter, Richard A.	31815 Koogle, Kevin R.
31816 Krzyzewski, Joseph Jr.	31817 Leuschel, Jon E.	31818 McNeilly, Bernard
31819 Miles, William F.	31820 Moore, Stephen V.	31821 Paniccia, Anthony R.
31822 Pontigo, Luis A.	31823 Reed, Brian S.	31824 Schneider, Ronald H.
31825 Stephens, Douglas N.	31826 Wilson, David A.	31827 Bost, Frederick G.
31828 Kalantarians, Sevak	31829 McGill, Keri L.	31830 Ramos, Jose A.

Motion was made by Mr. Dean to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Vickery. The motion carried.

Board Memo Applicants for Certification as a Professional Engineer by Exam:

Applicants for consideration to take the Professional Engineer examination, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation

engineering experience as determined by the above listed board member using the present Board guidelines, and who comply in every way with the provisions of the appropriate law, are as follows:

Del-Valle, Waldemar E.
Uptagrafft, Elizabeth (Clarke)

Foss, Malcolm L. Jr.
Watson, Nathan Ararat

Jenkins, Garry Mitchell

Motion was made by Mr. Ritter to approve these applicants for the Professional Engineer examination @ 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Richardson. The motion carried.

Bates, Gregory A.
Goodyear, Justina Marie Eisler
McDaniel, Gerald Eugene
Smith, Thomas Gabriel

Crane, Malia Beth Miller
Jones, Lawson Elliott
Mosley, Ashley Dale
Turner, Kristin Colleen

Goodman, Dana Alan
Long, Robert A.
Ross, Sara Marie Matthews

Motion was made by Mr. Richardson to approve these applicants for the Professional Engineer examination @ 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Dean. The motion carried.

Alexander, Joure N.
Jones, Rachel Lynn Weikel
Rohde, Erik Alois

Hobbs, Kelby Darryl
O'Connor, Alphonso
Webber, Jeffrey Lawton

Huang, Zhang
Perignat, Kenneth Joseph
Whitehead, Jared Cyle

Motion was made by Mr. Richards to approve these applicants for the Professional Engineer examination @ 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Dean. The motion carried.

Hales, Jason Curtis
Wommack, Wesley Owens

Osmani, Naeem Hamid

Stuetzer, Natalie Lynn

Motion was made by Mr. Vickery to approve these applicants for the Professional Engineer examination @ 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Dean. The motion carried.

Bowin, Jeffrey Raymond
Glenn, David William

Curtis, Eric Andrew
Harper, James Austin

Fleming, James Eben III
Wood, Dorothy J.

Motion was made by Mr. Dean to approve these applicants for the Professional Engineer examination @ 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Richardson. The motion carried.

Regular Applicants for Certification as an Engineer-In-Training by Exam:

Applicants for certification as an Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the

Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Beras, Cristina
Buseman-Williams, Anna
Keller, Vandiver William
Spann, Qumi Chantel
Wang, Jingzhu

Brou, Jean Jacques
Duncan, Samuel Lee
Odom, Dawn Ashley
Spikes, Jennifer Elaine

Buff, Michael Alexander
Hurst, Christopher Jason
Ramirez, Omar Andres
Toth, Jennifer Lauren

Motion was made by Mr. Dean to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). The motion was seconded by Mr. Vickery. The motion carried.

Senior Applicants for certification as an Engineers-in-Training by examination:

Applicants for certification as an Engineers-in-Training by examination who are currently enrolled as seniors in ABET approved programs in schools, colleges or universities in Georgia, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or other substantive reasons, and in every way comply with the provisions of the appropriate law(s) are as follows:

SAVANNAH STATE UNIVERSITY

James, Xavier Marcus

Motion was made by Mr. Ritter to approve this applicant for EIT certification @ 43-15-8(1) or 43-15-8(2). The motion was seconded by Mr. Evans. The motion carried.

Reinstatements:

Mr. Richardson moved to reinstate Vincent Kelly, PE010067. Mr. Ritter seconded. Motion carried.

Mr. Richardson moved to reinstate Malachi Bennett, III, PE012949. Mr. Ritter seconded. Motion carried.

Mr. Richardson moved to reinstate Arthur Holt, PE004159. Mr. Ritter seconded. Motion carried.

Mr. Richards moved to reinstate John Howle PE015577. Mr. Dean seconded. Motion carried.

Executive Session:

At 1:15 pm, Mr. Richardson moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Ritter seconded. Motion carried.

The following Board members were present during Executive Session – Chairperson Willmer, Mr. Dean, Mr. Evans, Mr. Butler, Mr. Richards, and Mr. Richardson.

Reconvened Open Session at 3:20 pm with the following Board members present – Chairperson Willmer, Mr. Dean, Mr. Evans, Mr. Butler, Mr. Richards, and Mr. Richardson.

There being no further business, at 3:25 pm, Mr. Vickery moved to adjourn. Mr. Richards seconded. Motion carried. Some Board members remained to review applications until they were finished.

Board Chairman

Executive Director

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These minutes were approved at the February 27, 2007 meeting.